

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN

Serial No.: 09/760,362

Filed: January 12, 2001

For: NOVEL TREATMENT FOR EYE  
DISEASE

Art Unit: 1644

Examiner: Huynh, P.N.

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Dear Sir:

Transmitted herewith are an Election and Preliminary Amendment,  
responsive to the Office Action, mailed March 27, 2002; a Supplemental  
Information Disclosure Statement in Accordance with 37 C.F.R. §§ 1.97-1.98;  
and a return postcard in connection with the above-captioned patent application.  
If a Petition for extension of time is needed, this paper is to be considered such  
Petition.

Extension fee for response within the fifth month:

(X) By a small entity.....\$980.00.

- ☒ The Commissioner is hereby authorized to charge the deficiency in the above check and any fee  
that may be due in connection with this and the attached papers, or with this application during its  
entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of  
this sheet is enclosed.

Respectfully submitted,  
Heller Ehrman White & McAuliffe LLP

By:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES C. CHEN

Serial No.: 09/760,362  
Confirmation No.: 1582

Filed: January 12, 2001

For: NOVEL TREATMENT FOR EYE  
DISEASE

Art Unit: 1644

Examiner: Huynh, P. N.

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ELECTION AND PRELIMINARY AMENDMENT

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Arlington, VA 22202

Dear Sir:

Responsive to the Requirement for Restriction, mailed March 27, 2002,  
applicant elects, with traverse, Group XVI, claims 1-4, 6, 11, 12, 16-24, and 36,  
drawn to a method to treat neovascular disease of the eye wherein the disease is  
macular degeneration for examination on the merits. In response to the  
requirement for Election of Species, applicant elects with traverse the specific  
photosensitizer **chlorin**, and elects with traverse **antibody (to VEGF receptor)** a first  
component of a bindable pair and, if necessary, elects with traverse a **VEGF**  
**receptor** as the second component. Claims 1-4, 6, 11, 12, 16-24, and 36 and  
also claim 13 read on the elected species.

IN THE CLAIMS:

Please replace claim 1 with amended claim 1 as follows:

1. A method to treat neovascular disease of the eye, comprising:  
administering a targeted photosensitizing compound that selectively  
binds to abnormal endothelium that lines or composes neovasculature tissue; and  
illuminating the neovasculature tissue with light for a period of time  
thereby causing damage to  
neovasculature tissue.